



FORM PTO-12	90 U.S. DEPAR	TMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER						
(REV (0-96)	LANSMITTAL LETTER	990667/RSB							
	DESIGNATED/ELECT	U.S. APPLICATION NO. (If known, see 37 CFR 1.5)							
(	CONCERNING A FILIN	09/403,940							
INTERNA	ATTONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED						
	DE98/01172	28 April 1998	29 April 1997						
TITLE OF INVENTION: DEVICE FOR DETERMINING FLUCTUATIONS IN END EXPIRATORY GASES, METHOD FOR DETERMINING FLUCTUATIONS IN RESPIRATORY METABOLISM AND THE USE OF SAID DEVICE									
APPLICANT(S) FOR DO/EO/US LUdwig WILDT; Peter LICHT; Matthias MICHEL									
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:									
ı. 🗆	This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.								
2. 🖳	This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.								
3.	This express equest to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay								
- 1	examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).  A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.								
*									
3. 🗀	A copy of the International Application as filed (35 U.S.C. 371(c)(2))								
	a. is transmitted herewith (required only if not transmitted by the International Bureau).								
	<ul> <li>b. has been transmitted by the International Bureau.</li> <li>c. is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul>								
4 [	c. is not required, as the application was filed in the United States Receiving Office (RO/US).  A translation of the International Application into English (35 U.S.C. 371(c)(2)).								
°. ⊢		International Application under PCT Article							
<u>، ا</u>		(required only if not transmitted by the Intern							
		y the International Bureau.	adouat Dates.						
		y the international Bureau. wever, the time limit for making such amendn	sents has NOT expired						
. 45-			ichis has 110 t expired.						
	d. have not been made and		771/-//7/						
8	A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).								
9. X	An oath or declaration of the inve	entor(s) (35 U.S.C. 371(c)(4)).							
10. 📋	A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).								
Items 11. to 16. below concern document(s) or information included:									
11.	77 A. C.								
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12. X	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.								
13. 🔲	A FIRST preliminary amendment.								
	A SECOND or SUBSEQUENT	oreliminary amendment.							
14.	A substitute specification.								
			·						
15.	A change of power of attorney at	nd/or address letter.	CERTIFICATE OF MAILING						
16. <b>X</b>		ited STATEMENT ENTITY, a copy of d on December 27, 1999	I hereby certify this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date noted below.						
01/18/200	0 PVOLPE 00000083 09403940	•	(uland the						
01 FC:254		P	Attorney: Richard S. Barth Dated: January 10, 2000						
			Dated:						

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	PCI/DE98/01172		1	93000//	ROD			
17. X The following fees are subinditted:	• =		النا ا	CULATIONS	PTO USE ONLY			
BASIC NATIONAL FEE (37 CFR 1.492 (a)			1					
Search Report has been prepared by the	\$840.00	1						
International preliminary examination for	ee paid to USPTO (37 CFR 1.4	182)	]					
	\$670.00	1						
No international preliminary examination but international search fee paid to USP								
Neither international preliminary examin international search fee (37 CFR 1.445(a								
International preliminary examination fe- and all claims satisfied provisions of PCI								
ENTER APPROP	S							
Surcharge of \$130.00 for furnishing the oath of months from the earliest claimed priority date	or declaration later than 20 (37 CFR 1.492(e)).	30	S	22 22	·			
CLAIMS NUMBER FILED	NUMBER EXTRA	RATE	1.	30.00				
Total claims - 20 =		¥ 18.00	S	<del></del>				
Independent claims -3 =			S	<del></del>				
MULTIPLE DEPENDENT CLAIM(S) (if application	bie)	₹ 78.00 + 360.00			·			
	F ABOVE CALCULAT	+ 260.00	S	<del></del>				
			S	<del></del>				
Reduction of 1/2 for filing by small entity, if a must also by filed (Note 37 CFR 1.9, 1.27, 1.2)	s (	65.00						
	SUBT	OTAL =	S e	55.00				
Processing fee of \$130.00 for furnishing the Ermonths from the earliest claimed priority date (	S							
	TOTAL NATIONA	+   	s 6					
Fee for recording the enclosed assignment (37				55.00				
accompanied by an appropriate cover sheet (37	s 							
<u> </u>	TOTAL FEES ENCI	OSED =	S					
				it to be:	S			
		L	c	harged :	5			
<ul> <li>a. X A check in the amount of \$\sum_{65.00}\$ to cover the above fees is enclosed.</li> <li>b. Please charge my Deposit Account No</li></ul>								
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.								
SEND ALL CORRESPONDENCE TO:		SIGNATUR	and	Phis				
FRISHAUF, HOLTZ, GOODMAN, LANGE	<u>s</u> .							
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Daca: January 10, 2000								